

REMARKS

Claims 1-25 are pending in the Application.

Claims 1-25 stand rejected.

I. REJECTION UNDER 35 U.S.C. § 102

Claims 1-15, 21-22 and 24-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *McCormack* (U.S. Publication No. 2002/0136384). In response, Applicants respectfully traverse this rejection.

Applicants respectfully assert that they invented the claimed invention prior to the effective filing date of the *McCormack* reference, which is March 22, 2001. The Examiner is respectfully requested to refer to the attached declaration of the inventors showing evidence of conception prior to March 22, 2001, and the declaration of Kelly Kordzik, the patent attorney who prepared this application, showing evidence of diligence between the date of conception and the filing date of the above-identified patent application. As a result, *McCormack* is not valid prior art for rejecting the claims under § 102.

With respect to the rejection of claim 5 by the Examiner, Applicants respectfully traverse the Examiner's use of inherency, thus requiring the Examiner to provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. MPEP § 2112. Furthermore, the Examiner states in the rejection of claim 17 on pages 5-6 of Paper No. 4 that *McCormack* does not teach an ability to convert the html of the web page into wireless markup language by the gateway. Thus, Applicants respectfully assert that the Examiner cannot also state that such a teaching is inherent in *McCormack*.

With respect to claims 7 and 14, Applicants again respectfully traverse the Examiner's use of inherency in rejecting these claims. MPEP § 2112.

II. REJECTION UNDER 35 U.S.C. § 103

Claims 16-20 and 23 stand rejected under 35 U.S.C. § 103 as being unpatentable over *McCormack* and in view of *Tobita et al.* (U. S. Publication No. 2002/0009987). In response, Applicants respectfully traverse this rejection. As noted above, *McCormack* is no longer valid prior art, and thus cannot be used to reject these claims under §103.

III. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the remaining claims in the Application are in condition for allowance, and respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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